

DOMESTIC MISSIONS FOR THE ARMED FORCES

Senator Sam Nunn

February 1993

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FOREWORD

During the summer of 1992, Senator Sam Nunn, Chairman of the Senate Armed Services Committee, initiated legislation to enhance civilian and military cooperative efforts in meeting critical domestic needs. In a speech before the Senate Armed Services Committee, he called for a major reexamination of the roles and missions of the nation's Armed Forces to help solve these problems.

The political context of Senator Nunn's speech is as important as its content. The cold war was over, domestic crises were manifesting themselves, and the Armed Forces, especially after the Gulf War, enjoyed unprecedented prestige and unique capabilities and efficiencies. These efficiencies, Senator Nunn believes, can be turned on domestic difficulties.

As budgets were cut, the broad area of roles and missions also became the vehicle for scrubbing the budget and revalidating missions and force structures. The revalidation process continues and, in simple terms, the defense budget will see dollars being taken out or new missions added. This paper details Senator Nunn's ideas for new missions. It sets forth his speech, the relevant materials from reports of the Senate Armed Services Committee and the House-Senate Conference Committee (Appendix A), and the final text of the legislation as enacted in the National Defense Authorization Act for Fiscal Year 1993 (Appendix B).

The Strategic Studies Institute is pleased to publish this document as part of the larger debate on roles and missions for the Armed Forces.

WILLIAM A. STOFFT
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BIOGRAPHICAL SKETCH OF THE AUTHOR

SAM NUNN, who was first elected to the United States Senate in 1972, has become one of the leading figures in American government and an internationally recognized expert on defense and foreign policy issues. He is Chairman of the Senate Armed Services Committee and the Senate's Permanent Subcommittee on Investigations. He also serves on the Intelligence Committee and on the Small Business Committee. His recent legislative accomplishments include: co-authoring the 1988 law to expand nationwide drug education, treatment, and law enforcement programs; introduction of the National Service Bill to create a "civilian service corps" by offering generous education benefits in exchange for one or two years of public or military service; passing sweeping reforms of the Pentagon bureaucracy to improve management and efficiency and reduce waste; and development of new co-operative methods to reduce the risk of accidental nuclear war. Senator Nunn attended Georgia Tech and Emory University, and Emory Law School, where he graduated with honors. After active duty service in the U.S. Coast Guard, he served six years in the U.S. Coast Guard Reserve. He first entered politics as a member of the Georgia State House of Representatives in 1968.

DOMESTIC MISSIONS FOR THE ARMED FORCES

FORGING CIVIL-MILITARY COOPERATION FOR COMMUNITY REGENERATION

Mr. President, the end of the cold war has created a number of opportunities, as well as challenges, for our nation. The collapse of the Warsaw Pact and the Soviet Union give us a chance to make significant reductions in the size of our military forces and our defense budget. Recent nuclear weapons agreements have diffused a portion of the world's arsenal of weapons of mass destruction. But tremors of instability and outright regional conflict are continuing to shake many parts of the globe. These volatile situations, coupled with the changing nature of the world's balance of power, mean that we must still maintain a strong, and perhaps, even more flexible military force.

Over the next few years, the nation will continue the debate over what size the base force should be, what roles and missions it should undertake, and how it should be structured. There is considerable uncertainty at this time on just what kind of a military capability we will need in the future and what size force will be adequate.

We are leaving a security era that demanded large numbers of U.S. combat forces stationed overseas or operating in forward locations at high states of combat readiness in order to confront a large and quantitatively superior opponent. That era has ended. We are entering a security era that permits a shift in our overall strategy more toward smaller force levels, with fewer overseas deployments and lower operating tempos. The exact size and organization of this future base force is still taking shape. It will be a smaller force than we have today. We all know that. No doubt it will be smaller. It will have to be just as professional--and even more flexible. The force will still need a basic amount of combat and operations training to sustain maximum proficiency and as well as readiness. But there will be a much greater opportunity than in the past to use military assets and training to assist civilian efforts in critical domestic needs.

Recent events in Los Angeles, with their terrible cost in life and property, should remind us all that our society faces numerous domestic challenges that in many respects are as daunting as any potential foreign threat to our national security. While the Soviet threat is gone, we are still battling at home drugs, poverty, urban decay, lack of self esteem, unemployment, and racism. The military certainly cannot solve all of these problems and I don't stand here today proposing any magic solution to the numerous problems we have at home. But I am totally convinced that there is a proper and important role the Armed Forces can play in addressing many of these pressing issues. I believe we can re-invigorate the military's spectrum of capabilities to address such needs as deteriorating infrastructure, the lack of role models for tens of thousands, indeed hundreds of thousands if not millions, of young people,

limited training and education opportunities for the disadvantaged, and serious health and nutrition problems facing many of our citizens, particularly our children.

THE ARMY'S DOMESTIC ACTION PROGRAM

There is a solid precedent for civil-military cooperation in addressing domestic problems. Army Regulation 28-19, developed under the leadership of Secretary Howard "Bo" Callaway in the Ford Administration and issued in 1975, authorized a "Domestic Action Program." The purpose of the program was to authorize "use of Department of the Army human and physical resources to assist and support the continued improvement and development of society." Under this program, local military commanders helped communities with activities such as fixing up recreation facilities and conducting summer programs for disadvantaged young people. The program, however, was decentralized, and, of course, in many respects needed to be decentralized. But it had very little management emphasis from the Army's leadership. In the 1980s, as the Army increased its focus on military training, interest in the Domestic Action Program faded, and the regulation was rescinded in 1988.

ASSIST MEETING DOMESTIC NEEDS WITH INNOVATIVE MILITARY TRAINING

As we restructure our Armed Forces over the next decade, the attention of DoD's civilian and military leadership must remain focused on training the Armed Forces for their primary mission which is the military mission. But that goal, in my view, is compatible with enhancing the military's ability to assist in meeting domestic needs. Creative commanders have always devised numerous innovative activities for their units--beyond routine training--to build morale and also to build unit cohesion. Community service projects present an excellent opportunity for them to do so while providing important services to our society. The military involvement in counter-narcotics activities is a good example of a mission that enhances military skills, helps to address an important domestic problem, and improves the morale of the people involved.

During markup of the National Defense Authorization Act for Fiscal Year 1993, I intend to offer a proposal to authorize the Armed Forces to engage in appropriate community service programs. I would like to outline the basic concept today, in order to encourage comments and suggestions from my colleagues and from the Department of Defense before the final details are developed during the markup. In other words, Mr. President, I'm not locked in concrete. I'm throwing out these concepts today. I know Senator Warner has been looking on behalf of the minority at a number of concepts and I'm hoping that by stimulating the thinking in this area we can refine this proposal in the next two or three weeks.

PRINCIPLES AND OBJECTIVES OF A CIVIL-MILITARY COOPERATIVE ACTION

PROGRAM

Mr. President, I want to stress at the outset that any such programs must be governed by three essential principles:

1. Any such project must be undertaken in a manner that is consistent with the military mission of the unit in question.
2. The project must fill a need that is not otherwise being met, and must not compete with the private sector or with services provided by other government agencies.
3. The program cannot become a basis for justifying additional overall military expenditures or for retaining excess military personnel. Projects should be undertaken only with personnel, resources, and facilities that exist for legitimate military purposes.

Building on the Army's experience with its Domestic Action Program, I would envision a new Civil-Military Cooperative Action Program with the following objectives:

- First, enhancing individual and unit training and morale through meaningful community involvement.
- Second, encouraging cooperation between civilian and military sectors of our society.
- Third, advancing equal opportunity in the nation and helping to alleviate racial tension and conflict and strife and misunderstandings in our nation.
- Fourth, enriching the civilian economy by transfer of technological advances and manpower skills.
- Fifth, improving the ecological environment and economic and social conditions of the areas that are within the reach of our existing military base structure.
- And, finally, increasing the opportunities for disadvantaged citizens, particularly children, to receive employment, training, education, as well as recreation.

The program would be organized under the supervision of the Assistant Secretary of Defense for Force Management and Personnel. I believe that we should give the military departments and the Department of Defense broad discretion to manage the program in a manner consistent with their military missions, who would in turn grant flexibility to local commanders in the implementation of the program. Every base will be different--different missions, different talents, different capabilities, different geographic areas. There won't be one model for the country.

To ensure that projects meet important community needs, and do not compete with the private sector and other government organizations, local installations would establish Advisory Councils on Civil-Military Cooperation. In these groups, officials from the military installations, representatives of appropriate local, state, and federal agencies, leaders of civic and social service organizations, and business and labor representatives from the private sector would meet to provide advice to local commanders in planning and executing civilian - military projects.

Mr. President, if we commit ourselves to it, this plan, as I view it, can make a major contribution to community restoration and regeneration efforts across the country. The American taxpayers have invested in and have built a great stockpile of innovative ideas, knowledge, trained, talented people, and equipment in the military over the years. These resources, if properly matched to local needs and coordinated with civilian efforts, can make a useful contribution to addressing the problems we face in blighted urban areas, in neglected rural regions, in schools, and elsewhere.

OPPORTUNITIES FOR MILITARY ASSISTANCE

Depending on the capabilities and availability of specific units, and the needs of local communities, the Armed Forces can assist civilian authorities in addressing a significant number of domestic problems.

Role Models.

I would put at the top of the list role models. One of the key strengths of the Armed Forces is developing role models. Hard-working, disciplined men and women who command respect and honor in their very presence can serve as a very powerful force among our young people--especially where family structures are weakened by poverty, drugs, and crime. We should enhance opportunities for good role models to interact with our young people.

Take, for example, the case of Sergeant First Class Lenard Robinson, stationed at Fort Bragg, North Carolina, who actively corresponded with learning handicapped children at a school in California while he was overseas during Operation DESERT STORM. Typically, learning handicapped children have great difficulty expressing themselves in writing. Sergeant Robinson's vivid descriptions of his experiences overseas, combined with photos and videos that he sent, have inspired many children to read his letters. And many of the children, who never wrote more than a few words before they heard of Sergeant Robinson, now write long letters to him. We have thousands of Sergeant Robinsons in our military services today.

The YESS program in Michigan is a collaborative effort between the private sector, non-profit organizations, and the Michigan National Guard to provide disadvantaged young people with role models and specific educational skills. Young people live on a military base for 5 days, receiving science and math tutoring, as well as exposure to military hardware and operations. This provides an exciting, stimulating environment to not only enhance their educational skills, but also to provide them with role models that encourage these young people to set goals for their own lives. It enables them to look at others who have come from similar circumstances and say, "If they did it, I can do it also."

Senator Levin brought this program to my attention. He's very familiar with the program, and will be describing it in more detail when he speaks on this subject. Why not expand this program so that it can benefit young people throughout our nation?

The nation is familiar with our senior military leaders, many of whom are black who served our nation so well during Operation DESERT STORM, such as General Colin Powell and Lieutenant General Calvin Waller. Over 400,000 members of the Armed Forces today who serve our nation well and ably who are black, and over 90,000 who are Hispanic, whose service, in Operation DESERT STORM and elsewhere, represent a model for every citizen in our country. These include Marines such as Captain Ed Ray, a light infantry company commander whose testimony before our committee about combat in Operation DESERT STORM demonstrated the professionalism and competence of our junior officers. Or Specialist Jonathan Alston of the Second Armored Division whose heroism in DESERT STORM earned him the Silver Star and who is featured in the television docudrama "The Heros of DESERT STORM." These individuals can serve, not just those who've been in DESERT STORM but thousands of others who have achieved great professionalism, can serve as a role model in community service programs throughout our country.

But there must be a structured program to enable community organizations to benefit from the capabilities and qualities of military role models. Military leadership, at both the officer and enlisted level, is an example of unique national resources. Why not use this resource as an example to tens of thousands of inner city and rural youth who, for example, may never have had a father in their own home?

Rehabilitation and Renewal of Community Facilities.

Mr. President, all across this country, schools, public housing, and recreational facilities, as well as roads and bridges, need repair in areas where government funds and private sector involvement are simply not available. Active duty and reserve units, particularly those with engineering capabilities,

could participate in restoring part of our infrastructure in this country. Military construction units may need to be beefed-up and perhaps redistributed to ensure that capabilities exist in all geographic areas to meet this important need.

Bill Guilfoil of the Atlanta Project at the Carter Center in Georgia reported to me that at least 1500 public housing units are boarded-up and unoccupied in Atlanta because of their state of disrepair. Meanwhile, the city's homeless population numbers at least 12,000. I think this story would be repeated in city after city after city across our land.

There are dozens of combat engineer units, located in Georgia, that really need to do construction and maintenance training in order to keep up their proficiency because that's what they do. That's what they have to do in any kind of conflict. I think it makes sense to put those domestic needs and our military engineering resources together. Army combat engineering units could be effectively used to repair dilapidated public housing, repair aging schools, and refurbish old recreational facilities. They could also provide temporary facilities to meet pressing public needs. As noted in an article, I believe it was *The Washington Post* last week, the WIC (Women's Infants and Children) Program center that served the south central Los Angeles area was destroyed in the riots, leaving the area without the capability to ensure that children and pregnant mothers receive vital nutrition. The military has the capability to provide temporary buildings on a very short notice. Why not use this capability to deal with such an emergency?

Last year, in Operation PROVIDE COMFORT in Iraq, military maintenance and construction units built housing, laid cement roads, put in plumbing systems--and the list goes on and on--for the desperate Kurds. We have desperate people in America. Why not put those resources to work at home? In many areas, these units are located right next door to blighted areas.

National Guard Bureau for a National Guard Youth Corps.

The military should examine ways to refocus local reserve component training on local community support initiatives whenever feasible and operationally justified. I will be proposing a pilot program to be implemented by the National Guard Bureau for a National Guard Youth Corps.

Last year in the Department of Defense Appropriations Act for Fiscal Year 1992, Congress appropriated funds for the National Guard Bureau to develop a program designed to demonstrate how disadvantaged youth can be aided through a program, based on a military model, of education, personal and skills development, and work in service to their communities. This initiative was sponsored by Senator Byrd and I compliment him on his proposal.

The National Guard Bureau has since completed its work on designing a pilot program. I think it's very promising. As it is currently envisioned, the Chief of the National Guard Bureau would be authorized to enter into agreements with the governors of 10 states to operate a military-based training program to improve basic skills and employability of high school dropouts. In this regard, I will be working with Senator Byrd, and with Senator Glenn, who chairs our Manpower Subcommittee, to include a provision in our defense markup this year authorizing such a pilot program which is really being enthusiastically requested by the Guard Bureau.

The program would require a relatively modest investment of the talent that is already available in National Guard units. I also have been informed that General Colin Powell, Chairman of the Joint Chiefs of Staff, is interested in expanding the Junior ROTC training program, an effort, which I applaud, which could benefit from the types of assistance that I have outlined in these remarks. An expansion of the Junior ROTC program, particularly in our inner cities, could be very beneficial. I look forward to getting that proposal from General Powell and others he is working with.

If these plans are implemented, they could do much to help the young people of our country. Why not put our military resources to work on this type endeavor?

Summer Programs .

Our young people need other kinds of help. I believe we should investigate ways to refocus DoD summer hire programs to recruit disadvantaged students where feasible. In areas where the DoD operates schools, teachers and perhaps facilities could be involved in summer school outreach to disadvantaged children. Why not put these resources to work in areas of greatest need?

Job Training and Education .

There is a dire need for job training and education--especially in the inner cities--to enable men and women to meet the needs of the evolving workplace. While our educational system and private industry must bear the primary responsibility for training and education, there may be opportunities in specific locations for civil-military cooperation in use of military training facilities to assist in meeting these needs. Why not look at our military resources as a resource for this kind of training and education?

Medical Transport .

Our ability to transport people to medical facilities in an emergency can never be fast enough, particularly for trauma

victims. Every day, military medevac units must log certain hours of flight training. That's what they train for all year long, to be ready in a contingency. That's what they're in business to do, to help evacuate people in a conflict situation. I submit that they should be allowed to do so while helping our own citizens at the same time. Currently, 97 percent of the aeromedical evacuation units are in the Air National Guard and Air Force Reserve. These units provide long distance medical evacuation. In addition, one reserve and 17 active helicopter units in the Army, and one Air Force reserve helicopter unit, provide short distance emergency medical evacuation under the Military Assistance to Safety and Traffic Program already available in a number of states. In Georgia, for example, the 498th medical company at Fort Benning has provided critical emergency medical support to assist communities throughout southwest Georgia, particularly in rural areas. I believe that these units can be more centrally integrated and managed as they train to provide even more assistance to our communities.

Communities that do not have access to current military or civilian medical transportation services need these resources. Why not look at the inventory of our military resources, determine which areas can be matched up, determine where the private sector is not able to provide this kind of service, and use the military in meeting these critical needs.

Public Health Outreach.

In a similar vein, there are many citizens in both urban and rural areas who lack the very basics of health and medical services. There may be opportunities in specific locations to use DoD medical capabilities to assist civilian authorities in providing public health outreach to these urban areas. The Center for Disease Control (CDC) in Atlanta estimates that fewer than half of all American children are fully immunized against diseases such as polio, diphtheria, tetanus, measles, and rubella. Infant vaccination and basic medical treatment are services that the military provides routinely in humanitarian missions abroad. Why not use these resources at home?

Nutrition.

There may be areas in which the military could even play a useful role by assisting civilian authorities in addressing the serious problem of hunger in America. The Food Research and Action Center--which recently honored our colleague Senator Lugar for his leadership on this issue--has estimated that 5 million children under age 12--one in eight in America--suffer from hunger.

An old military saying is that "the Army travels on its stomach." The military has extensive food storage, preparation, and distribution systems. Military units responsible for these

systems, including those in the National Guard and Reserve, could play an important role in the distribution of surplus food. They could help provide transportation, storage, and preparation assistance to federal, state, and local agencies while they are preparing for their basic mission. Where civilian agencies need this assistance, and military units are capable of providing it, why not put these resources to work?

AN OPPORTUNITY FOR POSITIVE CHANGE

Mr. President, the time to turn these ideas into action, I think, is this year--during this window of change and flexibility. As we reconfigure our military forces for our future defense requirements, I believe that we can reduce some of the combat missions that have been assigned to the National Guard and Reserves. At the same time, because warning times will be much longer, we should realign more of the military's support missions to the National Guard and the Reserves. These support units must be distributed in a regionally balanced way to provide a more effective capability for each state, with the added benefit of facilitating the opportunities for civil-military cooperation. Pentagon officials should put greater emphasis on coordinating military training with the potential benefits that such training can have in improving our communities. They need authority to do so and they need an expression from the congressional branch of government to do so.

I am confident that this Civil-Military Cooperative Action Program can be structured in a manner consistent with our military needs, without competing with the private sector or other government agencies. It is imperative that we not undercut private enterprise. But we can all look at the cities of our country today, we can look at the problems in Los Angeles and the problems in Atlanta and the problems in Chicago and the problems in New York and Boston, and on and on, and we can easily say, without any fear of being repudiated that the private sector cannot handle the job that needs to be done. All we have to do is look at the federal budget deficit and know that there is not going to be an instant solution with huge, billions and billions of dollars of new expenditures.

There are many opportunities for the military to get involved. I don't pretend the military can solve all these problems. They would have to be carefully tailored to each individual base, each individual unit's capability, and we'd have to keep our focus on the military mission, first and foremost, but there are many opportunities for military assistance to community needs that cannot be met with current private sector or civilian public resources.

Mr. President, I watched the faces of the people who fought in DESERT STORM. I watched the faces of those who provided relief to people who were dying on the desert who they'd been fighting with a few minutes before, and I watched the young people, and

the satisfaction they had in helping people who were dying in need. I also talked to many people who came back from helping the Kurds. I talked to people who've come back from Bangladesh in helping there. Nothing gives military people more pride than carrying out a mission of humanity, a mission of peace, a mission of mercy. This is something they enjoy doing. It gives them tremendous satisfaction and it's something they do well.

By using the capabilities we have in the military, we can assist civilian authorities in addressing the critical fundamentals upon which a healthy society, a healthy economy, and a healthy military are built. I believe this is a sensible investment we can make in our future, and a vital one. I look forward to working with my colleagues in receiving suggestions, additions, warnings, caveats, and so forth to this proposal. I look forward to working with the senior leadership of the Defense Department--Secretary Cheney, General Powell--I've already discussed this with General Sullivan of the Army. I have talked about it with several other individuals and I believe that working together we can develop a vibrant Civil-Military Cooperative Action Program to begin working on some of these problems that afflict our nation.

APPENDIX A

Excerpt from Senate Report No. 352, 102d Congress, 2d Session, A Report to Accompany S. 3114, the National Defense Authorization Act for Fiscal Year 1993 (July 31, 1992):

Civil-Military Cooperative Action Program.

As detailed elsewhere in this report, the end of the cold war and the related defense build-down mean that the Armed Forces will have fewer overseas deployments and lower operating tempos. In addition, the roles and missions of the National Guard and Reserve Components will be redefined to place greater emphasis on combat support and combat service support. Although it is essential that our nation maintain strong and flexible military forces, the post-cold war environment means that the Armed Forces will have a much greater opportunity than in the past to assist civilian efforts to address critical domestic problems.

The American people have made an enormous investment in developing the skills, capabilities, and resources of the Armed Forces. These resources, if properly matched to local needs and coordinated with civilian efforts, can make a useful contribution to addressing the serious domestic needs of the United States.

There is considerable precedent for such an effort. In 1969, for example, Secretary of Defense Melvin Laird established a DoD Domestic Action Program "to contribute to the improvement of society, including its disadvantaged members." The Army, under the leadership of Secretary Howard "Bo" Callaway, issued a detailed regulation in 1975 authorizing "use of Department of the Army human and physical resources to assist and support the continued improvement and development of society." Under the program, local military commanders helped communities with activities such as fixing up recreation facilities and conducting summer programs for disadvantaged young people. The program was decentralized, and the regulatory guidance was rescinded in 1988, but individual programs at local installations have continued to this day.

The other services have sponsored similar programs over the years. The Navy, for example, established a Personal Excellence Partnership Program in 1985 to help America's youth become better educated, healthy, and responsible citizens. Navy volunteers have assisted thousands of young people with mentoring, tutoring, coaching, health and science fairs, environmental projects, and other community service projects. Six of these projects have been recognized under the President's "Daily Points of Light" program.

As the nation restructures our Armed Forces over the next decade, the attention of DoD civilian and military leadership must remain focused on training the Armed Forces for their military missions. That goal, however, is compatible with

enhancing the military's ability to assist in meeting domestic needs. Creative commanders have always devised innovative activities for their units, beyond routine training, to build morale and unit cohesion. Community service projects present an excellent opportunity to do so while providing important services to society.

Members of the Armed Forces have the training, education, and experience to serve as role models for the youth of our nation. The nation has significant domestic needs in areas such as health care, nutrition, education, and infrastructure that cannot be met by current and anticipated governmental and private sector programs. Civil-military cooperative efforts to address these problems can be undertaken in a manner that is consistent with the military mission and does not compete with the private sector.

The committee recommends a provision that would provide a statutory basis for domestic assistance--the Civil-Military Cooperative Action Program. The program would be governed by three essential principles: (1) any project under the program must be undertaken in a manner that is consistent with the military mission of the unit in question; (2) the project must fill a need that is not otherwise being met, and should not compete with the private sector or with services provided by other government agencies; and (3) the program cannot become a basis for justifying additional overall defense expenditures or for retaining excess military personnel. Projects should be undertaken only with personnel, resources, and facilities that exist for legitimate military purposes.

The legislation would authorize the Secretary of Defense to use the skills, capabilities, and resources of the Armed Forces to assist civilian efforts to meet the domestic needs of the United States. The proposal would require that this assistance be provided "in accordance with other applicable law." This means that projects under the Civil-Military Cooperative Action Program would be subject to the same statutes that otherwise govern activities of the Department of Defense.

The Program would have the following objectives: (1) enhancing individual and unit training and morale through meaningful community involvement; (2) encouraging cooperation between civilian and military sectors of society in addressing areas of domestic need; (3) advancing equal opportunity and improving relations among racial and ethnic groups; (4) enriching the civilian economy through education, training, and transfer of technological advances; (5) improving the environment and economic and social conditions; and (6) providing opportunities for disadvantaged citizens. It is not the purpose of the legislation, however, to assign to the Department of Defense the responsibility for accomplishing those objectives. Therefore, while the Department of Defense is authorized to use its resources to assist civilian officials, the legislation would not

assign to the Department of Defense the primary federal responsibility for addressing these problems.

The legislation would authorize the Department of Defense to use its resources for Civil-Military Cooperative Action projects. The committee intends that the Department do so through the use of resources that have been acquired for military purposes. As a general matter, the committee expects the Department to minimize the number of personnel and resources that are applied exclusively to this Program; rather, it would assign personnel and apply resources to the Program in conjunction with traditional military functions.

For the program to achieve its broader goals, it must be a cooperative effort between the civilian and military sectors, and not simply a military response to domestic problems. The legislation would provide that the Secretary of Defense should encourage the establishment of advisory councils on Civil--Military Cooperation at the state, regional, and local levels to recommend projects, activities, and guidance for the Program. The committee anticipates that activities of the National Guard will be coordinated at the state level, while activities of active duty installations could be coordinated at the state, local, or regional level. The councils should include officials from relevant military organizations, representatives of appropriate local, state, and federal agencies, representatives of civic and social service organizations, and business and labor representatives.

The legislation would require the Secretary of Defense to issue regulations governing assistance under this section, including the following: (1) rules governing the types of assistance that may be provided under this section; (2) procedures governing the delivery of assistance so that, insofar as practicable, such assistance is provided in conjunction with, rather than separate from, civilian efforts; (3) procedures for appropriate coordination with civilian officials to ensure that the assistance will meet a valid need and will not duplicate other public services; (4) procedures for the provision of assistance in a manner that does not compete with the private sector; (5) procedures to minimize the degree to which DoD resources, including personnel, are applied exclusively to the program; and (6) standards to ensure that assistance is provided in a manner that is consistent with the military mission of the applicable organization. The committee intends these rules to provide maximum decentralization and minimal approval requirements so that the program is not strangled by paperwork and coordination procedures.

The legislation would make it clear that the provision should not be construed as authorizing use of the Armed Forces for law enforcement purposes, since military assistance to domestic law enforcement agencies is governed by Chapter 18 of Title 10, United States Code. However, this does not restrict

cooperative action programs with police officials in matters that do not involve enforcement of the laws, such as recreation and education programs. The legislation also would not authorize use of Department of Defense personnel or resources for any program, project, or activity that is otherwise prohibited by law.

The Armed Forces have earned a well-deserved reputation for the excellence of their training and education programs. Military personnel are particularly well-qualified to provide valuable assistance in addressing the significant problems that challenge our nation's schools. At the present time, several installations have entered into cooperative agreements with local school boards to provide such assistance. The committee believes that such efforts should be given particular attention and support in the implementation of the Civil-Military Cooperative Agreement Program.

Excerpt from House Report No. 966, 102d Congress, 2d Session, The Conference Report to Accompany H.R. 5006, The National Defense Authorization Act for Fiscal Year 1993 (Oct. 1, 1992):

Civil-Military Cooperative Action Program (Sec. 1081).

The Senate amendment contained a provision (Sec. 1060) that would authorize the Secretary of Defense to establish a civil--military cooperative action program to use the skills, capabilities, and resources of the Armed Forces to assist civilian efforts to meet critical domestic needs of the United States.

The program would have the following objectives: (1) enhancing individual and unit training and morale through meaningful community involvement; (2) encouraging cooperation between civilian and military sectors of society in addressing areas of domestic need; (3) advancing equal opportunity and improving relations among racial and ethnic groups; (4) enriching the civilian economy through education, training, and transfer of technological advances; (5) improving the environment and economic and social conditions; and (6) providing opportunities for disadvantaged citizens.

The program would be governed by three essential principles: (1) any project under the program must be undertaken in a manner that is consistent with the military mission of the unit in question; (2) the project must fill a need that is not otherwise being met, and should not compete with the private sector or with services provided by other government agencies; and (3) the program cannot become a basis for justifying additional overall defense expenditures or for retaining excess military personnel. Projects should be undertaken only with personnel, resources, and

facilities that exist for legitimate military purposes.

The House amendment contained no similar provision.

The important role that the military can play in meeting domestic needs has been underscored by the critical role of the Armed Forces in the aftermath of Hurricane Andrew. Although the relief effort required the cooperative efforts of many federal, state, and local entities, only the Department of Defense had the equipment and personnel to provide the logistics and infrastructure necessary for the timely provision of essential food, shelter, medical, sanitation, and communications services for a disaster of this magnitude.

The conferees agree that a vibrant civil-military cooperative action program can assist civilian officials in addressing a variety of domestic needs, consistent with the military mission and the primary role of other government agencies and the private sector in dealing with domestic matters.

The House recedes.

APPENDIX B

Section 1081 of the National Defense Authorization Act for Fiscal Year 1993, Public Law 102-484, 106 Stat. 2514 (Oct. 23, 1992):

Sec. 1081. Civil-Military Cooperative Action Program.

(a) FINDINGS.--Congress makes the following findings:

(1) Many of the skills, capabilities, and resources that the Armed Forces have developed to meet military requirements can assist in meeting the civilian domestic needs of the United States.

(2) Members of the Armed Forces have the training, education, and experience to serve as role models for United States youth.

(3) As a result of the reductions in the Armed Forces resulting from the ending of the cold war, the Armed Forces will have fewer overseas deployments and lower operating tempos, and there will be a much greater opportunity than in the past for the Armed Forces to assist civilian efforts to address critical domestic problems.

(4) The United States has significant domestic needs in areas such as health care, nutrition, education, housing, and infrastructure that cannot be met by current and anticipated governmental and private sector programs.

(5) There are significant opportunities for the resources of the Armed Forces, which are maintained for national security purposes, to be applied in cooperative efforts with civilian officials to address these vital domestic needs.

(6) Civil-military cooperative efforts can be undertaken in a manner that is consistent with the military mission and does not compete with the private sector.

(b) ESTABLISHMENT OF CIVIL-MILITARY COOPERATIVE ACTION PROGRAM--Chapter 20 of Title 10, United States Code, is amended [by adding a new subchapter II at the end thereof entitled "Civil-Military Cooperation" and by inserting a new Section 410 in the new Subchapter I, as follows:

"410. Civil-Military Cooperative Action Program.

(a) ESTABLISHMENT.--The Secretary of Defense shall establish a program to be known as the 'Civil-Military Cooperative Action Program'. Under the program, the Secretary may, in accordance with other applicable laws, use the skills, capabilities, and resources of the Armed Forces to assist civilian efforts to meet

the domestic needs of the United States.

(b) PROGRAM OBJECTIVES.--The program shall have the following objectives:

(1) To enhance individual and unit training and morale in the Armed Forces through meaningful community involvement of the Armed Forces.

(2) To encourage cooperation between civilian and military sectors of society in addressing domestic needs.

(3) To advance equal opportunity.

(4) To enrich the civilian economy of the United States through education, training, and transfer of technological advances.

(5) To improve the environment and economic and social conditions.

(6) To provide opportunities for disadvantaged citizens of the United States.

(c) ADVISORY COUNCILS.

(1) The Secretary of Defense shall encourage the establishment of advisory councils on civil-military cooperation at the regional, State, and local levels, as appropriate, in order to obtain recommendations for projects and activities under the program and guidance for the program from persons who are knowledgeable about regional, state, and local conditions and needs.

(2) The advisory councils should include officials from relevant military organizations, representatives of appropriate local, state, and federal agencies, representatives of civic and social service organizations, business representatives, and labor representatives.

(3) The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to such councils.

(d) REGULATIONS.--The Secretary of Defense shall prescribe regulations governing the provision of assistance under the program. The regulations shall include the following:

(1) Rules governing the types of assistance that may be provided.

(2) Procedures governing the delivery of assistance that ensure, to the maximum extent possible, that such assistance is provided in conjunction with, rather than separate from, civilian efforts.

(3) Procedures for appropriate coordination with civilian officials to ensure that the assistance--

- (A) meets a valid need; and
- (B) does not duplicate other available public services.

(4) Procedures for the provision of assistance in a manner that does not compete with the private sector.

(5) Procedures to minimize the extent to which Department of Defense resources are applied exclusively to the program.

(6) Standards to ensure that assistance is provided under this section in a manner that is consistent with the military mission of the units of the Armed Forces involved in providing the assistance.

(e) CONSTRUCTION OF PROVISION.--Nothing in this section shall be construed as authorizing--

(1) the use of the Armed Forces for civilian law enforcement purposes; or

(2) the use of Department of Defense personnel or resources for any program, project, or activity that is prohibited by law."

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